

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Council members

FROM/PHONE: Mark A. Kutney, AICP, Development Services Director/
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Prepared by: Marcie Oppenheimer Nolan, Planning
Supervisor

SUBJECT: An ordinance creating the Regional Activity Center- Academical
Village zoning district

AFFECTED DISTRICT: District 1 and 2

TITLE OF AGENDA ITEM:

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING SECTION 12-21 OF THE LAND DEVELOPMENT CODE OF THE TOWN OF DAVIE TO ADD REGIONAL ACTIVITY CENTER-ACADEMICAL VILLAGE DISTRICT TO THE LIST OF ZONING DISTRICTS; AMENDING SECTION 12-24 OF THE LAND DEVELOPMENT CODE OF THE TOWN OF DAVIE TO PROVIDE FOR A STATEMENT OF PURPOSE AND INTENT FOR THE REGIONAL ACTIVITY CENTER-ACADEMICAL VILLAGE ZONING DISTRICT; ENACTING NEW SECTIONS 12-32.400 THROUGH 12-32.411 OF THE LAND DEVELOPMENT CODE OF THE TOWN OF DAVIE, TO BE ENTITLED "REGIONAL ACTIVITY CENTER-ACADEMICAL VILLAGE DISTRICT"; CREATING GENERAL REQUIREMENTS AND LIMITATIONS; AND AMENDING SECTION 12-503 ENTITLED "DEFINITIONS;" PROVIDING FOR NEW DEFINITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF:

The land use category, Regional Activity Center (RAC) is intended to promote and encourage large-scale development and redevelopment that facilitates a balanced mix of land uses, providing for educational facilities, shopping opportunities, and a wide selection of housing types to meet the needs of students, residents, employees and visitors. The RAC land use category provides for maximum thresholds for uses and does not require land use plan

changes for individual parcels of land.

Upon the adoption of the RAC in 1998, the Town recognized that several zoning categories were needed to implement this vision creating a zoning district to implement the RAC land use category, with input and review by staff throughout the process. The proposed district draws upon the opportunities presented by the RAC land use category to create an academical village as envisioned by Nova.

RAC-AV Zoning District

An academical village, is a Jeffersonian term used to describe a village concept in which students and faculty live and work together, fostering a sense of community. The intent of the RAC is to encourage a synergy of uses, consistent with the definition of an academical village. This synergy results from allowing a mix of services to address the needs of students, teachers, and local residents. With this in mind, the proposal before you takes advantage of the three primary uses (retail, educational, services) currently occurring in the RAC and provides for expanded interaction and flexibility.

The proposed ordinance would be applicable primarily to the Nova Southeastern University boundaries between University Drive, College Avenue, SE 30th Street & Abe Fischler Blvd and 37th Court. If another applicant proposed to utilize this zoning district, the boundaries would need to be modified through an amendment to the land development code, as adopted.

In order to accomplish this mix of uses and create an academical village within the greater Davie community, the ordinance, as proposed, would create three categories applicable within any portion of the RAC that has rezoned to the RAC-AV.

The categories comprise the following:

- **Mixed Uses**

An example of the flexibility intended within the RAC zoning district, is the table of uses (page 4). The table of permitted uses allows for the uses similar to the B-2 zoning district. These serve a typical small neighborhood, which could include retail shops, office space, restaurants, spas, theatres, and health clubs. In addition to these uses, the following components of a university are provided for: dormitories, residential multifamily housing, classrooms, museums, hospitals and clinics. This mix of uses will allow Nova Southeastern University

to expand to meet the growing needs of their student body and faculty in the context of a village atmosphere.

- **University (Higher Education)**

This category permits almost all the same uses as the mixed-use category. However, professional offices and government uses are conditional approvals through the Town's Special Permit process.

- **Schools (K-12)**

This use table prohibits some uses and conditions not typically associated with K-12 schools. These conditioned uses include office, residential multifamily, hospitals, ambulatory centers, hotels and government uses.

The design of these various categories is regulated differently based upon the mix of uses within each area identified on the required conceptual Master Plan.

The Process

The ability to rezone to the RAC-AV requires a conceptual Master Plan. This plan is approved concurrent with the rezoning application and is approved in the form of an agreement between the applicant and the Town. This agreement indicates the use areas, circulation systems (both pedestrian and vehicular), perimeter landscaping, buffering and heights. This process, similar to the review of a DRI, but not at the same scale, will ensure that the development pattern that is stated to occur based upon the rezoning application will, in fact occur. Any deviations will require review by staff, the Planning and Zoning Board, and/or Town Council depending on the nature of the modification. In addition, a yearly monitoring report will be submitted to indicate all changes from the approved conceptual Master Plan.

Intensity and Density

The intent of the regulations is to build upon the existing downtown of Davie, that is Davie Road to University Drive. This development pattern is intended to place commercial intensity along University Drive and provide for residential facilities within the Nova campus. The maximum allowed density with a parcel of land rezoned to the RAC-AV will be 22 dwelling units per acre. In addition, the maximum height allowed will be based upon the nature of the uses served within the sub-areas indicated on the Master Plan. A maximum height of 150 feet, or 15 stories will be allowed in a mixed use area. Within a University area,

the maximum height will be 125 feet, or 12 stories. Within the School area, the maximum height will be 50 feet, or 5 stories. The location of these heights will be determined and approved by Town Council at the time of conceptual Master Plan approval.

Design

The setbacks provided also work to create the feeling of an urban campus along major arterials while providing for more of a “campus feel” with pedestrian amenities and pedestrian pathways between both classrooms and residential areas.

The overall design that can be achieved from these regulations will be similar to larger college campuses, not typically found in south Florida, but more akin to the design of Duke University or other universities set in a large campus-like setting, with commercial areas transitioning into the campus and a focus on pedestrian and bicycle mobility as opposed to vehicular movement.

Access and Mobility

A series of cross-sections are provided within the regulations to encourage development of streets that facilitate pedestrian needs. Secondary streets require lanes for bikes and 6 foot minimum sidewalks. People streets (as specified in the ordinance) require colonnades and other architectural enhancements to protect pedestrian from the sun and rain..

The cross-sections will be specified on the Master Plan to ensure that the Town can plan for future road projects to tie into proposed roadways.

Parking

The parking ratios provided build upon the overall intent of this zoning district to provide an urban village like setting. The parking requirements are reduced from typical suburban standards due to the transit service throughout the RAC and the location of parking structures and parking lots served by transit. The proximity of all services to residential areas and classrooms in conjunction with pedestrian and bicycle friendly streets will encourage more non-vehicular traffic within the RAC- AV, thereby requiring key points for parking lots but not triggering a maximum of required on-site parking. In addition, the focus on pedestrian movement and alternative transportation options is a stated goal of the land use category.

Landscaping

The landscaping requirements provided are similar to current sections of the land development code. However, the main exception is an increase in the required use of native plant material to 50% of all plant material installed. The attention to detail on how trees are planted along streets acknowledges both the need to shade areas from the sun and the need of trees to grow in a suitable sized planting space.

Analysis

The zoning district, as presented, provides for greater flexibility in design, while protecting both Nova students and the parcels outside this RAC-AV area. The intent language, similar to the Griffin Road Zoning District, directs an applicant to the village theme or design envisioned by the district.

While the code is flexible, review criteria have not been provided to ensure that maximum heights will be adequately buffered from existing residential areas. Staff suggests line of sight studies, proximity to major arterials, and location of transit services be identified at the time of approval for buildings exceeding five stories. In addition, the RAC land use plan category currently restricts building height to 75 feet. A comprehensive plan text amendment will be required to be approved by the Department of Community Affairs and recertification by the Broward County Planning Council to allow building heights to exceed 75 feet.

Conclusion

The zoning category of the RAC-AV provides for Nova Southeastern University, located within the RAC, to expand and provide a university experience in an urban village like setting. This experience will directly benefit the students and faculty of the entire South Florida Education Complex as well as enhance retail and service options for the overall Davie community.

The zoning district is well-written and fully able to be implemented. In addition, the conceptual Master Plan helps ensure that the Town of Davie fully understands the entire project at the time of any rezoning application.

PREVIOUS ACTIONS: None

CONCURRENCES: At the Local Planning Agency meeting of December 10, 2003 a motion was made by Mr. Stevens with a second by Ms. Turin to approve (4-0, Mr. McLaughlin abstaining).

FISCAL IMPACT: N/A

RECOMMENDATION(S): Staff finds the subject application complete and suitable

Attachment(s): Proposed Ordinance
ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING SECTION 12-21 OF THE LAND DEVELOPMENT CODE OF THE TOWN OF DAVIE TO ADD REGIONAL ACTIVITY CENTER-ACADEMICAL VILLAGE DISTRICT TO THE LIST OF ZONING DISTRICTS; AMENDING SECTION 12-24 OF THE LAND DEVELOPMENT CODE OF THE TOWN OF DAVIE TO PROVIDE FOR A STATEMENT OF PURPOSE AND INTENT FOR THE REGIONAL ACTIVITY CENTER-ACADEMICAL VILLAGE ZONING DISTRICT; ENACTING NEW SECTIONS 12-32.400 THROUGH 12-32.411 OF THE LAND DEVELOPMENT CODE OF THE TOWN OF DAVIE, TO BE ENTITLED "REGIONAL ACTIVITY CENTER-ACADEMICAL VILLAGE DISTRICT"; CREATING GENERAL REQUIRMENTS AND LIMITATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Davie desires to amend the Town of Davie Land Development Code to add the Regional Activity Center-Academical Village District (RAC-AV) as a designated and permitted zoning district within the Town of Davie; and

WHEREAS, the inclusion of the RAC-AV district is consistent with the Town of Davie Comprehensive Plan; and

WHEREAS, the RAC-AV district will further the public goals of the Town of Davie by establishing a zoning district that promotes the health, safety, and welfare of the residents of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

Section 1: That the forgoing recitals are true and correct and incorporated into the terms and conditions of this Ordinance.

Section 2: That Article II, Division 1, Section 12-21 "Zoning districts" of the Town of Davie Land Development Code ("LDC") is hereby amended by

adding Regional Activity Center-Academical Village District (RAC-AV) as a designated zoning district within the Town of Davie.

Section 3: That Section 12-24 of the LDC is hereby amended as follows:

(K) Regional Activity Center-Academical Village District: This district is one of many districts intended to implement the Regional Activity Center designation of the Town of Davie Comprehensive Plan by encouraging and promoting large-scale development and redevelopment as well as small parcel infill and redevelopment that facilitates a coordinated and balanced mix of land uses which will support the education facilities in the area.

Section 4: That Chapter 12, of the Town of Davie Land Development Code is hereby amended by adding new Sections 12-32.400 through 12-32.411 entitled “Regional Activity Center-Academical Village District to read as follows:

Sec. 12-32.400. REGIONAL ACTIVITY CENTER-ACADEMICAL VILLAGE DISTRICT.

Sec. 12-32, subdivision 400 shall be known as the “Regional Activity Center-Academical Village District.”

Sec. 12-32.401. Intent/purpose. The Regional Activity Center-Academical Village District (RAC-AV) is intended to encourage and promote large-scale development and redevelopment as well as small parcel infill and redevelopment that facilitate a coordinated and balanced mix of land uses, providing for: educational facilities; to include research, training and other educational support uses; healthcare, shopping opportunities to meet the basic and expanded needs of students, residents, employees and visitors, office, hotel/conference, a wide selection of housing types for all income ranges; and governmental users. The mix of land uses associated with the RAC-AV will provide recreation/entertainment; and various employment opportunities, which will encourage the use of intermodal transit terminals that will connect to local and regional transit routes.

Sec. 12-32-402. Applicability. The parcels of land generally located between University Drive (to the west), College Avenue (to the east), SW 30th Street & Abe Fischler Blvd. (to the north) and 37th Court (to the south) comprising 300 acres of Nova Southeastern University and shown on the Town of Davie Future Land Use Map as Regional Activity Center.

Sec. 12-32.403. Definitions. The purpose of this section is to define words, terms and phrases contained within this subdivision. In the interpretation of this subdivision the provisions and rules of this section shall be observed and applied except when the context clearly requires otherwise, or is defined in Article XIV, Section 503. Terms requiring interpretation specific to this document are as follows:

(A) Academical Village: Thomas Jefferson first coined the term Academical Village in the early 1800's. Mr. Jefferson conceived of the University of Virginia as an "academical village" in which students and faculty would live and work together, fostering a sense of community among scholars. (See www.virginia.edu for more information.)

(B) Building Height: See Height and Grade.

(C) Grade: The greater of:

1. The natural elevation of the ground when compared to the abutting properties
2. The base flood elevation requirement for the lowest floor as shown on the flood insurance rate map published by the Federal Emergency Management Agency (FEMA)
3. Eighteen (18) inches above the FEMA base floor elevation requirement for the bottom of the lowest horizontal structural member (LHSM) of the lowest floor
4. Eighteen (18) inches above the State of Florida, Department of Environmental Protection or its successor agency, minimum requirement for the bottom of the (LHSM) of the lowest floor.

For the purpose of the definition of grade, the term floor shall be defined as the top of lowest inside surface of an enclosed area in a building, including the basement. For example, the top of the slab in a concrete slab construction or the top of wood flooring in wood frame construction. The term does not include an unfurnished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area.

Grade established herein as the basis of measuring height, shall not apply to non-habitable structures such as a fence, wall, hedge or swimming pool.

- (D) Height: The height of buildings and structures shall be measured from the grade to the uppermost part of the roof or structure. Spires and steeples, chimneys, parapet walls, machine rooms, elevator towers and the like necessary to the design and function of a building but not designed for human occupancy, shall not be included in the measurement of overall height of a building. The height shall be the roof peak for structures with pitched roofs and the roof slab for structures with flat roofs.
- (E) Master Plan Area - The applicant's area illustrated in the conceptual master plan to rezone to RAC-AV
- (F) Open Space: An outdoor, at grade space, which is accessible to the public all or most of the time, including parks, plazas, squares, canal-walks, colonnades, courtyard gardens, and pedestrian paths and/or associated ornamental or shading landscaped areas.
- (G) Pedestal: the bottom portion of a building that creates street frontage.
- (H) Pedestrian Ways: Any paths which are strictly reserved for people to move through out the site by foot.
- (I) People Streets: Pedestrian dominated streets where vehicular movement is low-volume and secondary to the people.
- (J) Street: A thoroughfare for the movement of pedestrians and/or vehicles.

Sec. 12-32-404. Permitted Uses

Uses	Mixed Use	University (Higher Education)	School (Pre-K thru 12)
Retail stores	P	P	P
Office - research	P	P	C
Office - educational	P	P	P
Office - professional	P	C	C
Office - medical	P	P	P
Restaurant	P	P	P
Cafeteria	P	P	P
Dormitories	P	P	P
Residential multifamily	P	P	N
Administration	P	P	P
Classrooms/lecture halls	P	P	P

Library	P	P	P
Museums	P	P	P
Day care	P	P	P
Laboratory	P	P	P
Hospital	P	P	N
Clinic	P	P	P
Diagnostics/Ambulatory	P	P	C
Spa/Fitness Center	P	P	P
Hotel	P	P	N
Conference	P	P	P
Government	P	C	N
Theaters (Performing Arts)	P	P	P
Theaters (Cinemas)	P	P	N
Amphitheaters	P	P	P
Sports fields	P	P	P
Gymnasium/field house	P	P	P
Health and fitness club	P	P	P
Radio/TV/Videography	P	P	P

P = Permitted Use C = Conditional Use N= Not permitted
***Conditional use subject to special use regulations (Article X, Division 4).**

Sec. 12-32-405. Prohibited Uses

(A) Any permitted use, accessory use, or structure not specifically or by reasonable implication permitted herein is prohibited.

Sec. 12-32.406. Limitations of Use - Rezoning of land to the RAC-AV district shall require a conceptual Master Plan depicting general building locations, access, internal road lay out and on-site circulation system, perimeter landscaping and buffering, and other unique design features pertinent to the site.

Sec. 12-32-407. Parcel Size, Setbacks and Height Limitations

(A) Minimum Parcel Size:

(1) The minimum parcel size for consideration of rezoning to the RAC-AV District is twenty (20) acres.

(B) Minimum Required Yards:

(1) Mixed Use Area: Any building adjacent to single family residential use shall be set back at least one hundred (100) feet from the right-of-way or property line.

(2) University Area: Any building adjacent to single family residential use shall be set back at least seventy-five (75) feet from the right-of-way or property line.

(3) School Area: Any building adjacent to single family residential use shall be set back at least fifty (50) feet from the right-of-way or property line.

(4) Any building adjacent to major arterial roads shall be setback (30) thirty feet from the right-of-way or property line.

(5) Any building adjacent to collector or local roads shall be setback (0) zero feet from the right-of-way or property line.

(C) Minimum Building Separation:

(1) Setbacks between buildings in the RAC-AV are not required.

(D) Maximum Building Height:

(1) Mixed Use Buildings: Mixed-use buildings shall not exceed 15 stories, or 150 feet in height.

(2) University Buildings: University Buildings shall not exceed 12 stories, or 125 feet in height.

(3) School Buildings: School Buildings shall not exceed 5 stories, or 50 feet in height.

(E) Maximum Building Coverage:

(1) Mixed Use Area: 70% of master plan area.

(2) University Area: 60% of master plan area.

(3) School Area: 60% of master plan area.

(F) Minimum Open Space:

(1) Mixed Use Area: 30% of master plan area.

(2) University Area: 40% of master plan area.

(3) School Area: 40% of master plan area.

Sec. 12-32.408. Density.

(A) The total maximum overall residential density for the area described in Sec. 12-32-402 shall not exceed 22 dwelling units per gross acre.

(B) Parcels of land within the area described in Sec. 12-32-402 may exceed the density limitation set forth in section (A) above so long as the district as a whole does not exceed the density limitations.

(C) For purposes of calculating density student dormitories shall not apply.

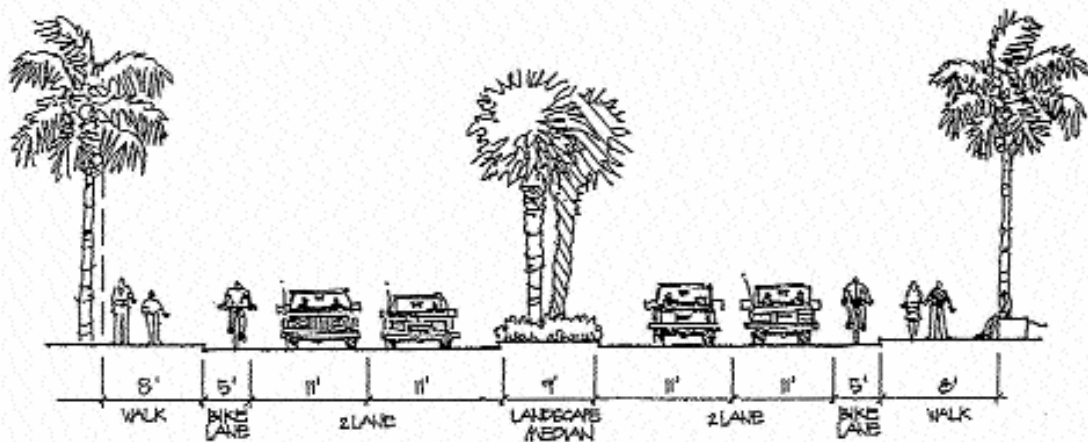
Sec. 12-32-409. Circulation, Parking and Access - Circulation, parking and access are essential ingredients to a successful Master Plan. From the highest traveled road to a bike lane, all elements of circulation, parking and access may be addressed with due diligence. These systems may be designed not only to facilitate the movement and staging of people and automobiles but may also be designed to exist harmoniously with the surrounding landscape.

(A) No obstructions exceeding (2) two feet in height may be placed in a triangular area measuring (50) fifty feet from the intersection of curb lines on a primary road and (25) twenty-five feet from the curb line on a secondary road.

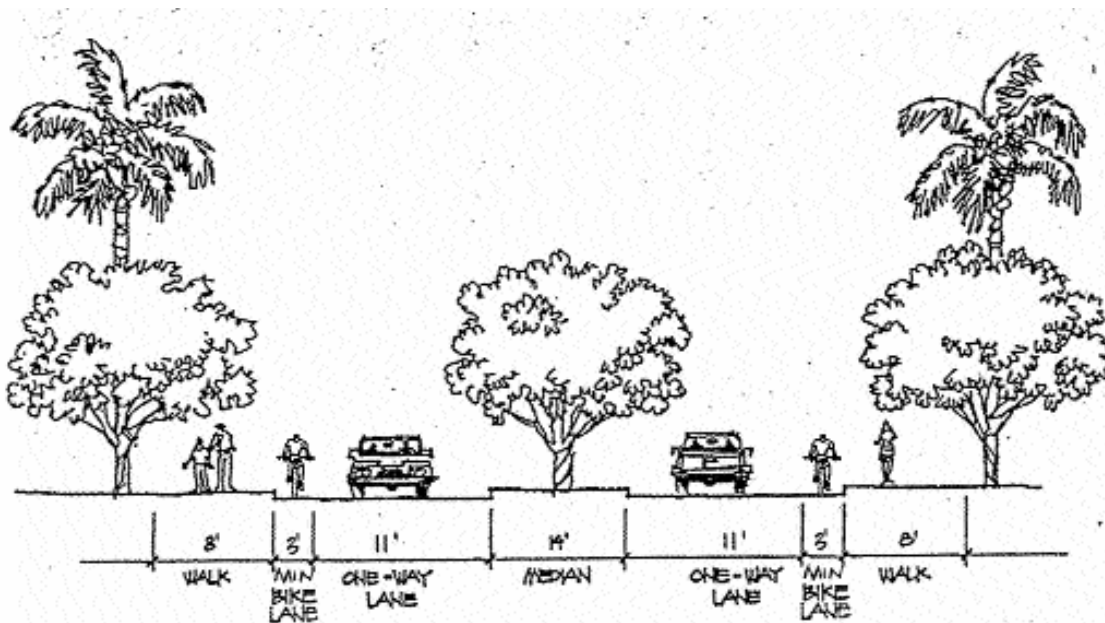
(B) Street Design - Street types in the RAC AV District. differ from standard FDOT roads and are illustrated as follows:

Typical street section illustrations shall only apply to all future roads with in the designated RAC-AV District. The street types are subject to change in accordance with the Amendment 12-24 Sec. 12.32-418 and shall be presented in the annual report as defined in Sec. 12.32-419. (See Exhibit D for Street Type Location Plan.)

(1) Primary Streets. Primary streets shall be distinguished by a median , bike lane, and a walk. All vehicular lanes shall be a minimum of 11' wide.

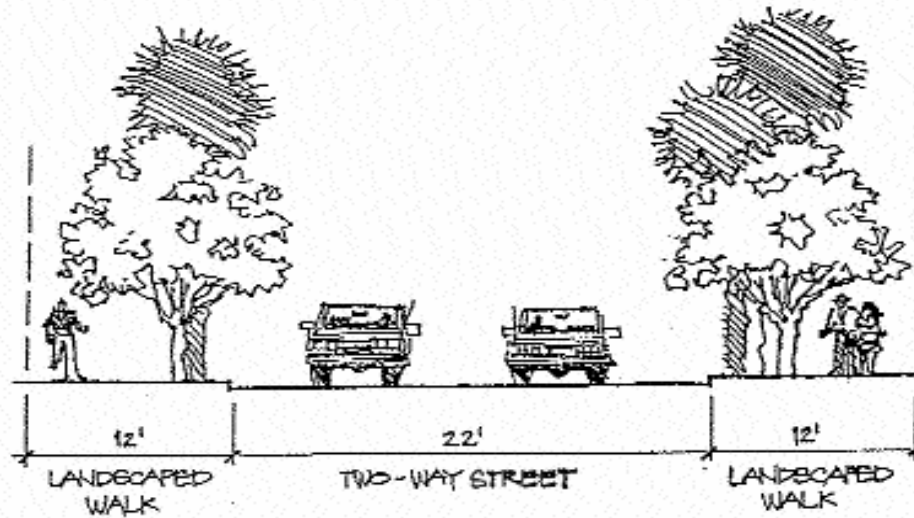


Type 'A' 4-lane Primary Street (Section) Bike lanes may be 5' wide, if space is not available 3' min width is acceptable.



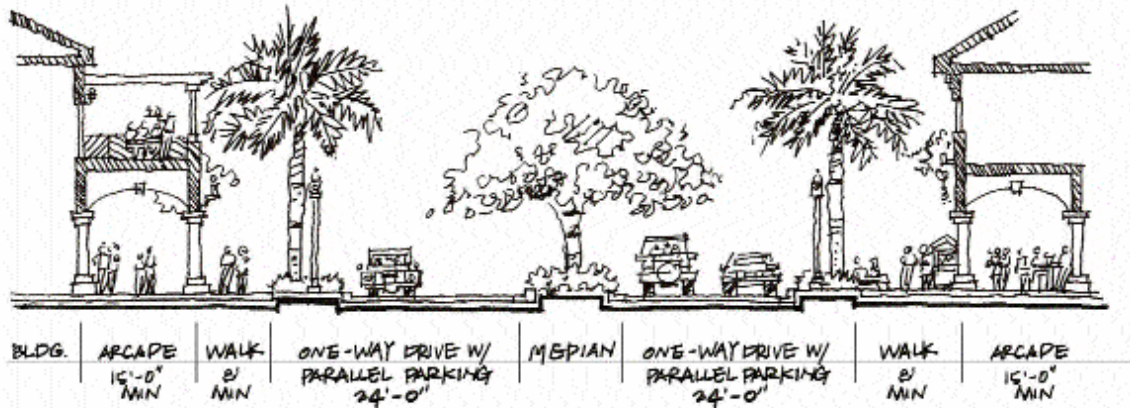
Type 'B' 2-lane Primary Street (Section)

(2) Secondary Streets - Street width shall contain a minimum of (2) two lanes, (1) one in each direction, and each lane a minimum of (11) feet.



Secondary Street Section (Typical)

(3) People Streets - People Streets that front restaurants and/or retail shall have a (15) fifteen foot minimum sidewalk width.



People Street Section (Typical)

(4) Pedestrian ways shall be a minimum of (6) feet.



Pedestrian Way Section (Typical)

(5) Bicycle ways. Bicycle lanes shall have a minimum. (5) five foot striped and signed area, or a minimum width of (3) feet in addition to any existing traffic lane.

(6) Transit Stops. Transit stops shall be placed approximately (100) one hundred feet from proposed parking structures or a major parking lot containing more than (500) five hundred spaces. Transit stops may use parking structures and bus shelters as landmarks.

(7) Bus Stops. The Town of Davie, NSU, SFEC, BCT shuttle/bus systems shall utilize the same intermodal "stop" facilities. Bus stops shall be provided along the major roadway at each designated intersection, arrival courtyard, and adjacent plaza or special location. If possible such stops along the outside of the loop may contain a small additional lane segment (minimum of 10' wide) separate and distinct from normal traffic lanes, to facilitate thru traffic flow while transit vehicles are stopped.

(8) Parking. Given the unique and specialized nature of the RAC-AV district the Applicant may provide alternate off-street parking and loading requirements that provide justification of the flexible standards for Town consideration. Campus and Town transit shall account for 10% of the

overall means of transportation to the RAC-AV district and shall be subtracted from the overall number of spaces required throughout the RAC-AV district.

Off- Street Parking Requirements

Building Use	Parking Requirements
Office	3 spaces per 1,000 SF
Retail	4 spaces per 1,000 SF
Restaurants	1 space per 75 SF for dining + 1/350 SF non dining
Hotel	1 space per 1,000 SF
Residential	1.5 spaces per dwelling unit
Institutional	1 space for every 4 theater seats 1 space for each 1,000 SF of museum
Education	3 spaces per 1,000 SF + 1.5/classroom
Healthcare	3 spaces per 1,000 SF + 2/bed

* all other uses subject to review upon development application and annual report

(C) Structured Parking - Structured parking facilities are permissible within the District and may be designed with street level frontages consisting of habitable space on busy streets and treated with an architecturally articulated façade that screens the parking area of the structure on minor streets. Street level openings to parking structures may occur only on side streets and be minimized to accommodate necessary vehicle entrances and pedestrian access only.

(D) For the purposes of calculating parking spaces, gross floor area shall not include:

(1) covered or enclosed parking areas

(2) exterior unenclosed private balconies

(3) floor space used for mechanical equipment for the building; and elevator shafts and stairwells at each floor.

(E) Shared Parking - The intent of shared parking is to permit a reduction in the total number of required parking spaces when a parcel is occupied by two or more uses which typically do not experience peak parking demands at the same time.

(1) Parking spaces serving uses possessing unique and widely divergent operating hours, such that one use would not, in its day-to-day, operation have need of the parking spaces during the operating hours of the other use, may share those parking spaces with another use providing the area where the sharing occurs is not heavily impacted by a parking shortage and provided that:

(a) A shared parking agreement is developed between property owners and the agreement is submitted to the development services for review prior to recording the in the public records of Broward County; and

(b) A copy of the recorded shared parking agreement is transmitted to the P&Z manager prior to issuance of a certificate of occupancy.

(2) When any land or building is used for two or more uses, the minimum total number of required parking spaces shall be determined by the following procedures:

(a) Multiply the minimum required parking for each individual use, excluding spaces reserved for use by specified individuals or classes of individuals, by the appropriate percentage listed in the appropriate table for each of the designated time periods. Add the resulting sum for each of the five vertical columns of the table. The minimum parking requirement is the highest sum resulting from the foregoing calculation.

(b) The maximum reduction under this provision shall be 25%, unless a greater reduction is approved as a technical deviation.

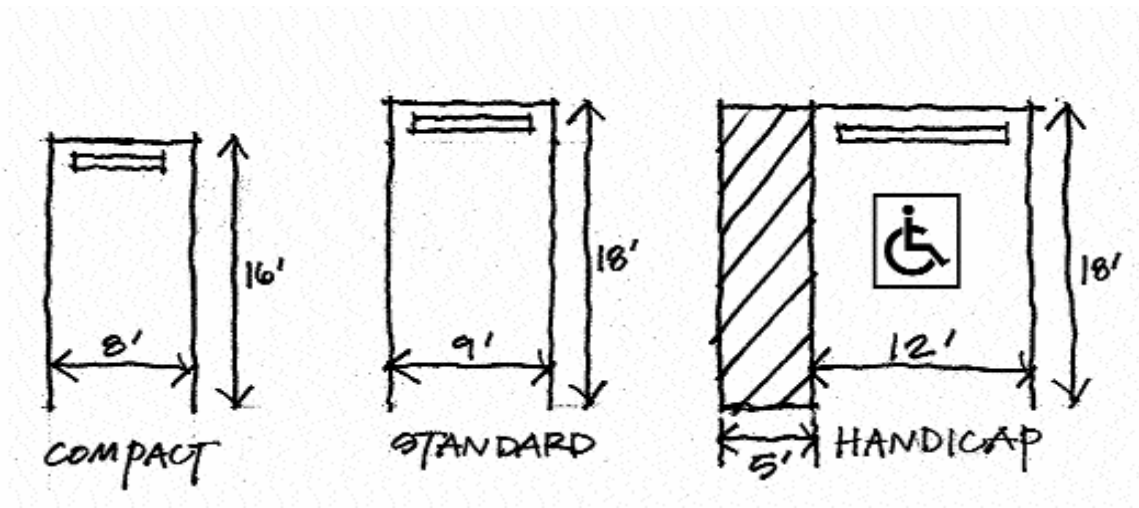
Shared Parking Requirements

Building Use	Weekday			Weekend	
	Night Midnight- 6AM	Day 9AM- 6PM	Evening 6pm- Midnight	Day 9AM- 6PM	Evening 6PM- Midnight

Residential	100%	60%	90%	80%	90%
Office	5%	100%	10%	10%	5%
Commercial Retail	5%	70%	90%	100%	70%
Hotel	80%	80%	100%	80%	100%
Restaurant	10%	50%	100%	50%	100%
Entertainment	10%	40%	100%	80%	100%
Others	100%	100%	100%	100%	100%

(3) Unless designated for compact cars, each required parking space shall have a minimum width of nine (9) feet and a minimum length of eighteen (18) feet with a twenty-four (24) foot aisle for 90 degree parking with appropriate adjustments to the aisle width for angle parking. Compact car spaces shall have a minimum width of eight (8) feet and a minimum length of sixteen (16) feet. No more than 25% of all required parking spaces in parking structures and in surface or open air lots of more than 50 spaces can be designed and designated for compact cars.

(F) Parking Stall Dimensions



(1) The number of spaces required under the provisions of the above paragraph shall include the following requirements for parking spaces for handicapped persons:

(a) All spaces for the handicapped shall have access to a curb-ramp or curb-cut when necessary to allow access to the building served. Each curb-ramp or curb-cut shall be located so that users will not be compelled to wheel behind parked vehicles, and shall be located the shortest possible distance between the parking area and the entrance to the principal building it serves. Each parking space for the handicapped shall be paved and installed in accordance with State Standards and the Manual on Uniform Traffic Control Devices and the Federal Department of Transportation, as may be amended from time to time.

(G) All access roads shall intersect any frontage road at a minimum 90-degree angle. When not possible, visibility will determine acceptance of the alternate intersection angle.

Sec. 12-32.410. Open Space

(A). RAC-AV District encourages open space. Parcels that are one-hundred (100) acres or more in size shall provide at least twenty - five percent (25%) to open space.

(B) Open space shall provide a continuous pedestrian linkage throughout the District as well as provide a connection to downtown Davie via the Town of Davie Trail System

(C) Open space shall provide a wide variety of recreational opportunities and environments.

Sec. 12-32.411. Grading Drainage and Retention

(A) Use Separation. Development with the RAC-AV shall utilize grade changes to separate different uses.

(B) Barrier Free Access. Slopes for wheelchair accessibility shall not exceed 1 in 12, with a length not to exceed (30) thirty feet.

(C) Detention and Retention Basins. Retention basins may have a safety ledge extending six (6) feet from the edge of the water and at a depth of 2^{1/2} feet. Maximum slopes to the water line of retention basins may be 30% or 3:1.

Sec. 12-32.412 Building Design – Buildings for all new constructions may be designed in accordance with a concept and theme throughout the RAC –AV. However, the building character in the University and School areas will differ from the Mixed Use Area due to campus context.

(A) Architectural Design Character – The University and School areas will juxtapose to campus greens, lush landscapes and courtyards spaces and in the Mixed Use Area, the first floors of all buildings, including structured parking, may be designed to encourage pedestrian scale activity.

Any building which borders directly on high volume vehicular streets with in the Mixed Use Area shall allow highly visible window facades to encourage stopping and shopping.

Any building which borders directly on high volume vehicular streets with in the Mixed Use Area shall include step backs on upper levels in order to secure site lines to landmark elements.

Any building which border a single family residential use shall remain smaller in scale to ensure that daylight reaches the adjacent yards/properties.

(B) Building Site Location. Building construction within the RAC-AV shall maximize energy efficiency and privacy and shall protect view corridors.

(C) Massing. All buildings, which front University Drive, people streets, or other significant corridors within the RAC-AV district, shall be displayed as follows:

(1) A minimum cornice height of twenty-five (25) feet, which may consist of a uniform alteration to the building massing for a minimum of four (4) feet perpendicular to the vertical surface.

(2) Buildings which exceed thirty-five (35) feet in height shall maintain no more than three stories without horizontal moderation in vertical surface plane. This moderation or expression line shall delineate where a building shall step back and shall assist in avoiding large continuous facades. This moderation may consist of a minimum four (4) foot horizontal variation in surface plane such as brise soleil, balconies, and building projections. Repetitive moderations may be discouraged.

(3) All buildings shall have a minimum of three (3) planes of vertical separation.

(4) The first thirty-five (35) feet of the exterior façade vertical plane may incorporate where possible; cornice, molding stringcourses, ornamentations, changes in material or color, and other sculpting of the architectural surface.

(5) Pedestrian Bridge between structures which pass over public right of way shall be permitted.

(D) Building Materials. In keeping with the image and intent of the RAC Academical Village District, certain building materials are more appropriate than others. Materials not listed below or new building materials, as they are developed or become available, will be given special consideration.

(1) Roofing Materials (Surfaces visible from the ground)

(a) Permitted: Standing Seam Metal, Clay Tile, Concrete Tile

(b)Not permitted: Asphalt Shingles, Slate

(2) Siding Materials

(a) Permitted: Precast Concrete, Stucco, Metal, EIFS

(b) Not Permitted: Wood Siding, Hardi-Plank

(E) Colors

(1) Colors may reflect existing palette of adjacent buildings. Color schemes shall be recommended for approval during the site plan approval process.

Sec. 12.32-413. Site Landscape - The landscape treatment of the public sector must be consistent to provide a visual connection throughout the RAC-AV district. Plantings along public roadways, canals and other public corridors may provide a common framework. See Article VI for standard requirements.

(A) Required Plant Material – See Town of Davie Code Sec.12-102

(B) Landscape Themes – All unpaved areas shall be planted with an effective combination of trees, ground cover, lawn, shrubbery and/or approved dry landscape materials and mulches. All required landscaped areas, including landscaped areas within parking lots, shall consist of water efficient plant material. Landscaped areas containing trees and shrubs shall be under planted with ground cover, with the remaining areas to incorporate a minimum two to three inch layer of compost or mulch.

Sod incorporated into the landscape design shall be planted only in areas that do not exceed a slope of 4:1. Said sod shall be of a water efficient variety.

The plant material selected shall be suitable for the given soil and climate conditions. Plant selection shall take into consideration water conservation through appropriate use and groupings of plants that are well adapted to particular sites and to particular watering needs, climatic, geological or topographical conditions.

(C) Street Landscape – Street trees can be used to enhance the street by adding shade to the walks and roadways. Their presence can also assist in

scaling down building mass and allowing street fronts to have a more pedestrian scale.

(1) Tree grates may be installed around trunks where trees are planted within sidewalks or other paved pedestrian areas. They may be sized between a 6'-8' diameter.

(2) Project street frontages are highly visible to both patrons and motorists. As the first design feature seen by people entering a project, street frontages establish the visual image for both the project and the streetscape. Because of these considerations, street frontage parkways shall be of ample width and generously landscaped. Landscape plans shall treat this parkway, including any portion within the public street right-of-way, as one integrated greenbelt.

(3) Parkway frontage landscape design may include sidewalks and/or bicycle-pedestrian ways, and planting consisting of trees, shrubs, and either grass (drought-resistant varieties) or groundcover. Frontage landscape treatment shall be of low height near project entries so as to preserve sight lines and ensure traffic safety.

(4) A 30' Landscape buffer shall be required adjacent to FDOT arterial roads. See Section 12-107 (b) (5) (b).

(a) Primary Streets A & B – Formal palms shall be planted a maximum of 35' oc and 2'-6" minimum from the edge of the roadway along the entire loop road and main entry drives. All palms shall be installed at a minimum of 10' clear trunk.

(b) Secondary Streets – Clusters of palms, shade and accent trees shall border two lane roads and be under planted with an effective combination of shrubs and groundcover. All trees shall be planted 2'-6" minimum from the edge of the roadway. All plantings shall respect the traffic safety site line at intersections.

(c) People Streets - Palms shall be planted a maximum of 35' oc and 2'-6" minimum from edge of the

roadway. The palms shall be under planted with small ground cover or annual color. The median shall be planted with shade trees 35'oc and under planted with effective combination of shrubs and ground cover. All shade trees shall be installed at a minimum ht of 14'-16'. 60% of the median shall be landscaped. Sod will not be considered landscaping; only shrubs and ground cover are acceptable in calculating the 60%.

(D) Pedestrian area landscape -Landscape plans for any development involving pedestrian areas shall include additional special design requirements, including but not limited to, the following:

(1) Use of small scale plant materials - Planting adjacent to walkways and within plazas and other pedestrian spaces may include smaller species of shrubs and trees in keeping with the intent to maintain an intimate human scale in these areas.

(2) Landscaping amenities - Pedestrian spaces may be enhanced by planting accents such as trees, shrubs, and/or vines espaliered against wall surfaces, flower beds, window boxes, and hanging pots with flowers and vines.

(E) Water Front Landscape - All planting surrounding existing and proposed water features may maintain an overall unity. The plant palette in these areas may consist of at least 50% native waterscape plant material.

(1) 70% of the total water edge LF shall be landscaped.

(2) All planting shall not only serve as an attractive amenity to the water's edge but as a functional infiltration system for storm water runoff.

(F) Parking Lot Landscape - A minimum of 15% of the net site area, with 50% to be located within the parking areas, shall be landscaped as follows, unless otherwise specified in the code:

(1) Where parking areas adjoin a public right - of-way, a landscaped planting strip equal in depth to the required setback or ten feet, whichever is greater, shall be established and continuously maintained between the public right- of -way and parking areas.

The minimum ten foot landscaped area shall not be credited toward the 15% or the 50% standards; however, any additional landscaping maybe credited. Any planting, sign, or other structure within safety sight-distance of a driveway shall not exceed 24" in height.

(2) Interior parking spaces shall have a continuous 10 foot wide planter strip with 10 foot by 18 foot planter areas every 10 parking spaces unless alternative provisions are approved. Provisions shall be made to ensure that adequate pedestrian paths are provided throughout the landscaped areas.

(3) All parking areas facing a primary roadway shall consist of a maximum hedge of 5' to screen parked cars from cars driving by.

(4) All areas in a parking lot not used for driveways, maneuvering areas, parking spaces, or walks, shall be permanently landscaped with suitable materials and permanently maintained, pursuant to a program submitted by the applicant and approved by the town.

(5) All landscaped islands shall be bordered by a concrete curb that is at least six inches height and six inches wide. All landscaped area shall be a minimum of six feet width.

(6) To increase the parking lot landscaped area, a maximum of two feet of the parking stall depth may be landscaped in lieu of asphalt while maintaining the required parking dimensions. This overhang is in addition to the required yard setbacks.

(G) Entry Ways – Landscape plans for any development involving corner parcels shall include additional special design requirements, including, but not limited to, the following:

(1) A minimum landscape area of 500 square feet for each corner area adjacent to a major/secondary arterial street, and 300 square feet for each corner are adjacent to a collector street

(2) Incorporate significant landscape and water features wherever appropriate.

(3) Specimen trees shall be a minimum of 8'-10'

(4) Ensure that any corner landscape plan within a “traffic safety sight area” shall be designed to protect public safety.

(H) Tree Preservation - New projects shall be designed to preserve existing trees to the greatest extent possible. Landscape, grading, and site plans may incorporate these trees into the overall project design, including measures to protect the existing trees during and after construction. Such measures shall be clearly indicated in both preliminary and final construction drawings. In conjunction with such efforts, the applicant may be required to engage a properly credentialed a landscape architect or arborist to submit evaluations and recommendations for saving, transplanting, or removing existing trees. If the decision-making authority determines that significant existing trees cannot be saved, it may require their replacement with new specimen-size trees having a cumulative trunk diameter of up to two times the cumulative trunk diameter of the trees to be removed. Trunk diameters shall be measured three feet above the base.

(1) All trees removed shall be replaced as per Sec. 26-28.

(I) Planting Size and Densities -. For all landscaped areas other than manufactured slopes over six feet in height, landscape planting shall conform to the following minimum size and planting density standards:

(1) Trees:

Minimum size: shade trees – 14’-16’, accent trees – 8’-10’, palms 10’ clear trunk.

Maximum spacing of shade trees in parkways, entry drives, street medians, parking lot planter strips, and project boundary strips: 30’, Maximum of palms: 25’, maximum of accent trees 15’. Trees may be planted either in irregular clusters or at equal intervals.

(2) Shrubs:

Minimum size: one gallon minimum with at least 30 percent to be five-gallon.

Maximum spacing: average ten feet

(I) Irrigation - All plantings will require irrigation systems providing 100% coverage throughout the RAC-AV District. Irrigation systems shall

distribute a minimum of 1 1/2" of water per week during a maximum 8 hour watering cycle. All irrigation systems shall be completely automatic, and shall be equipped with rain gauges for water conservation.

Due to the intense pedestrian activity anticipated for the area, irrigation shall be designed to avoid over spraying pedestrian areas. Bubbler and mist heads shall be used to offer more control efficiency of water use. For confined planting area, emitter systems or underground drip systems shall be used.

Irrigation systems shall be designed to accommodate the specific water requirements of the various areas of the planting design. Areas with different water requirements shall be zoned separately.

Water distribution shall be designed to minimize overspray onto buildings and site structures as well.

(K) Site Furnishing. Site furnishings may be compatible with their surroundings, and may maintain unity throughout the RAC-AV district.

(1) Seating. Seating with RAC-AV district shall be design to discourage overnight sleeping. Seat walls shall be implemented at grade changes and to separate spaces.

(2) Tree Grates. Tree grates shall have barrier free access for wheelchairs and carriages.

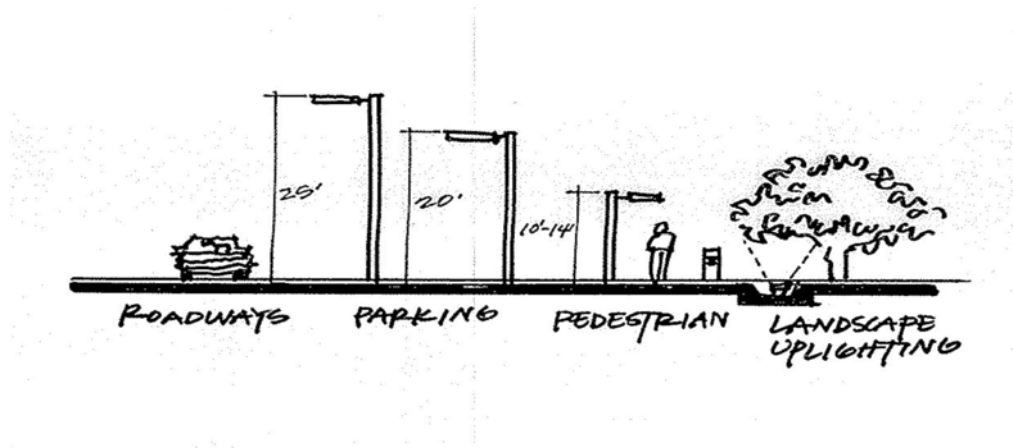
(3) Planters. Planters and flowerpots shall be used for landscape relief and to reduce or accent architectural mass.

(4) Trash Receptacles. Receptacles are to be to be sited only where they will be both accessible and used. They shall be placed along major pedestrian corridors, but shall not impede pedestrian traffic. They shall also be located at portals, pedestrian nodes, intersections, and seating areas. Trash receptacles shall not obstruct views or transmit unpleasant odors. Trash receptacles must be waterproof and shall contain a lid. Each receptacle shall have a sturdy removable liner for easy maintenance and be sized to accept standard trash bags. All transits stops or bus stops shall have at least one trash receptacle.

Sec. 12.32-414. Signage and Graphics - Signage and graphics within the RAC-AV district shall serve the functional purpose of informing and directing pedestrian/vehicular traffic. Refer to Article VIII, Section 12-32.317. All applicants shall submit a signage package subject to review.

Sec. 12.32-415. Lighting - Lighting systems shall establish a sense of security and unity throughout the RAC-AV district over flow light is prohibited.

(A) Scale, Proportion, and Hierarchy. The larger the scale of the use, the higher the mounting light shall be. The size of the fixture shall also be in proportion to the height of its pole to avoid awkward proportions.



(B) Light Levels. The following minimum average maintained foot-candle levels shall be provided for the RAC-AV district:

- | | |
|------------------------|----------|
| 1. Approach roadways | 1.0 FC |
| 2. Side streets | 0.8 FC |
| 3. Parking Lots | 1.0 FC |
| 4. Promenades | 1.0 FC |
| 5. Sidewalks | 0.6 FC |
| 6. Landscape lighting | (varies) |
| 7. Property line spill | 0.5 FC |

(C) Light Source. The following Standards are included for selection of an appropriate light source:

(1) High Pressure Sodium - Shall be used on all streets and parking lots and shall not be used areas of high pedestrian use.

(2) Metal Halide - Shall be used in high pedestrian area such as plazas and along people streets.

(3) Color Corrected Mercury Vapor - Shall only be used in low voltage situations where efficiency is not critical, or shall accent landscape material because of its ability to emphasize green foliage.

(4) Incandescent - Shall only be used where regular maintenance is possible, such as building entries and small courtyards.

(D) Light Location - The placement of lighting throughout the RAC-AV district shall be designed as follows:

(1) Streetscape Lighting is required for primary and secondary streets.

(2) All light poles shall be located a minimum of 4'-0" from the curb face and maintained plumb and secure. The placement of poles shall not create obstructions to pedestrian ways.

(3) Fixtures along side streets shall be located approximately 100ft on centers. All light poles shall be located a minimum of 4'-0" from the curb face and maintained plumb and secure. The placement of poles shall not create obstructions to pedestrian ways. Light poles on designated people streets shall be designated to permit specialty banners.

(4) Parking Lot Lighting - Lighting in off-street parking lots shall be designed to allow safe and secure night use of these facilities.

(5) Parking lot lights located interior to larger parking lots shall have a Type V (square) distribution to ensure maximum coverage and shall be spaced approximately +120 feet on centers.

(6) Light poles shall not be located within vehicular and pedestrian circulation aisles and parking stalls. They shall be located at regular spacing within the landscaped area of center or side islands and protected by curbs or wheel stops.

(7) Light poles shall not be located within vehicular and pedestrian circulation aisles and parking stalls. They shall be located at regular spacing within the landscaped area of center or side islands and protected by curbs or wheel stops.

(8) Pedestrian Lighting. Must establish a safe and secure atmosphere for nighttime use and provide a distinct ambiance, which differentiates pedestrian facilities from adjacent vehicular zones. The fixtures, poles and bollards must have a human scale and offer a visual appearance, which complements the other streetscape elements.

(9) Landscape Lighting. Shall not exceed between 0.5 and 1.0 ambient foot-candles.

(10) Landscape accent lights shall be unobtrusive in appearance and/or hidden from view. All landscape lighting shall be placed where beams are directed away from pedestrians' viewpoint. Lights mounted directly in trees shall be discouraged unless means of attaching the fixture and conduit are sensitively handled to protect the plant's health and assure a pleasing appearance.

Sec. 12.32.416 Processing.

(A) An application to rezone property to RAC-AV shall proceed in accordance with Sec. 12-306 and 12-307.

Sec. 12.32-417 Development within a RAC-AV District.

(A) Development within a RAC-AV shall proceed in accordance with the Master Site Plan and Design Standards approved by the Town Council, which will be on file at the office of the Town Clerk. The Master Site Plan and Design Standards shall designate a mixed use, university and school area. No building permit or certificate of occupancy shall be issued in, or

for development in a RAC-AV except in conformity with all provisions granting the RAC-AV.

Sec. 12.32-418 Changes to the approved RAC-AV.

(A) Any changes made to the approved Master Site Plan and the corresponding Design Standards will be approved by the development services department and submitted annually in accordance with Sec. 12.32-419.

(B) Should the department determine that a requested change or deviation from the approved Master Site Plan and corresponding Design Standards do not comply with the principles of the RAC-AV, or Section 12.32-418 (C), the applicant may appeal to the Town Council for approval of such change or deviation.

(C) Notwithstanding any other provision in the Code, an amendment or modification to a structure, approved as a part of the Master Site Plan which alters the location or appearance of said structure by more than 20% may be allowed without further review.

(D) Upon review by the planning and zoning board for a deviation or change to the Master Site Plan and corresponding Design Standards, the planning and zoning board may take such action as deemed appropriate. This may include approving the requested change or deviation, or referring the requested change or deviation to the Town Council for further study and recommendation.

Sec. 12.32-419. Annual Report. The Owner(s) of property within a RAC-AV shall submit an annual report to the Director of Development Services. The first annual report shall be submitted one year after the effective date of the ordinance, and on that same date every year thereafter until development under the Master Site Plan is complete. The annual report shall include the following information:

- (A) Any changes to the Master Site Plan or Design Standards;
- (B) An outline of the development activity begun and concluded in the reporting year.

Section 5: That Article II, Division 1, Section 12-503 “Definitions” of the Town of Davie Land Development Code (“LDC”) is hereby amended by adding the following definitions:

- (1) Block: A combination of building lots, the perimeter of which abuts streets.
- (2) Block Face: the right-of-way line or easement line which delineates a block edge.
- (3) Build - To Line: A line parallel to the block face, along which a building shall be built.
- (4) Expression Line: A horizontal line, the full width of a façade, expressed by a material change or by a continuous projection not less than three (3) inches nor more than one (1) foot.
- (5) Floorplate: The total indoor and outdoor area of any given story of a building, measured to the exterior of the wall.
- (6) Frontage: The property line or lines of a lot which coincide with a right-of-way other public open space.
- (7) Habitable Space: Building space whose use involves human presence with direct view of the fronting streets or open space excluding parking garages, self-service storage facilities, warehouses, and display windows separated form retail activity.
- (8) Healthcare: Any facility treating, teaching or administering practices which pertain to promoting the physical well being of its user. Hospital, Clinics, Ambulatory Care, Diagnostics, Medical Offices are all facilities, which fall under this category.
- (9) Penthouse: Topmost built area of a building with a floorplate area less that that of the tower below.

(10) Plaza: An open space with a majority of paved surface. Plazas are fronted with buildings that continue the adjacent street frontage requirements and uses.

(11) Square: An open space surrounded by streets or other vehicular passages.

(12) Shared Parking: Parking used by more than one use or building.

(13) Storefront: The portion of a building at the first story of a retail frontage that is made available for retail use.

(14) Story: A floor level within a building.

(15) Tower: The middle portion of a building above the pedestal and below the penthouse.

Section 6: That the Director of Development Services is hereby authorized to effectuate all necessary changes to the official zoning map of the Town of Davie and make all notifications and reports to the appropriate agencies.

Section 7: That in the event any provision or application of this Ordinance shall be held invalid, it is the legislative intent that the other provisions and applications hereof shall not be thereby affected.

Section 8: That all ordinances or parts of ordinances in conflict herewith are to the extent of said conflict, hereby repealed.

Section 9: That this Ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS ____ DAY OF _____, 2003

PASSED ON SECOND READING THIS ____ DAY OF _____, 2004

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2004